ANNUAL REPORT

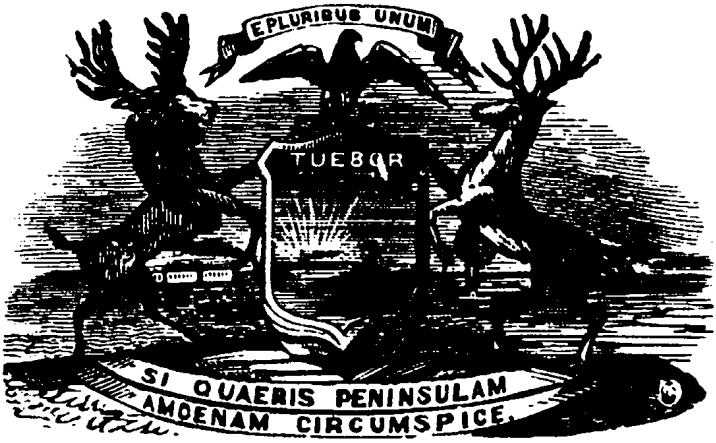
OF THE

ATTORNEY GENERAL

OF THE

STATE OF MICHIGAN,

FOR THE YEAR 1861.



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LANSING:
PRINTED BY THE STATE PRINTERS
1861.

STATE OF MICHIGAN.

1861.

DOCUMENT NO. 10.

ANNUAL REPORT of the Attorney General.

ATTORNEY GENERAL'S OFFICE,
Lansing, Dec. 31st, 1861.

To His Excellency, AUSTIN BLAIR,
Governor of the State of Michigan:

SIR—I have the honor to submit to you my official report for the year 1861:

The case of Wm. Tyler, mentioned in the last report of my predecessor, as having been taken to the Supreme Court of the United States, by a writ of error, has since, by stipulation, been dismissed, and said writ has ceased to be further prosecuted.

The case of the State against the Phenix Bank, also referred to by my predecessor, in his said last report, as having been appealed to the Court of Appeals of the State of New York, is still pending in said Court, awaiting a hearing, in its order, but when it will be reached I am unable at present to determine.

At the January term, 1861, of the Supreme Court of this State, I appeared for the State, and argued the case of McDonald, Pl'ff in Error, *vs.* The People, in which the judgment of the Court below was affirmed. I also appeared on behalf of the

Auditor General, in opposition to an application of the county of Houghton against that officer, for a mandamus, requiring him to issue his warrant for a certain sum claimed to be due said county, under the provisions of act No. 54, laws of 1853, page 76, and section 7 of article 19 of the constitution; which application for a mandamus was granted.

On the 9th of February last I caused two prosecutions to be commenced against the late State Treasurer, John McKinney, by complaint made before F. LaRue, Esq., at the city of Lansing, one for embezzlement under the provisions of section 5771 of the Compiled Laws, the other for neglecting and refusing to deliver over to his successor in office, the moneys, &c., belonging to the State, which had come into his hands by virtue of his said office of State Treasurer, under section 5772. After an examination of several days, he was held for trial on each of said charges, and gave bail for his appearance at the next term of the Circuit Court for the county of Ingham. At the following May term of said Court, informations were filed against him on each of said charges, and he appeared in said Court and pleaded not guilty to said informations.

Subsequently, at the November term of said Court, said McKinney was tried on the charge of embezzlement, and convicted, and thereupon his counsel drew up and tendered a bill of exceptions, under the provisions of chapter 197 of the Compiled Laws, to remove the cause to the Supreme Court, which exceptions were allowed and signed by the circuit judge, and sentence was thereupon suspended and said respondent ordered to recognize for his appearance, &c., as provided by statute, and said cause is now awaiting a hearing on said bill of exceptions in the Supreme Court at the coming January term.

The other information is still pending in the Ingham circuit.

At the April term, 1861, of the Supreme Court, I appeared on behalf the State, and argued the case of the People *vs.* John Drennan, and also prepared briefs in the case of Washburne *vs.* the People, Cross *vs.* the People, and the case of the People *vs.* LeRoy & Morissey, which three last

were not finally submitted at said term, the Court holding but a short session. At the last October term of said Court, I appeared and submitted on briefs, the cases of Cross *vs.* the People, Washburne *vs.* the People, and Carlton *vs.* the People, and also argued, on behalf of the State, the case of the People *vs.* Thomas, and also appeared on behalf of the Board of State Auditors, and argued in opposition to an application on the part of the East Saginaw Salt Manufacturing Company for a mandamus, against the said Board to compel the allowance of a claim for bounty, under the provisions of act No. 200, laws of 1859, for salt manufactured by said Company subsequent to the passage of said law and prior to the act of 1861, amending the said act of 1859. The mandamus was granted, as prayed for.

In the case of the People *vs.* Thomas, the exception taken by the defendant on the trial in the Court below, was overruled, and judgment ordered to pass upon the verdict. The other cases submitted have not yet been decided.

At said October term, I also appeared on behalf of the Auditor General, in the suit of the Michigan Southern & Northern Indiana Railroad Company against him in Chancery, originally commenced in the Wayne Circuit, and in which a hearing had been had in said Circuit during the past summer on pleadings and proofs, and a decree made dismissing the bill of complaint, and from which said decree said Company had appealed to the Supreme Court.

The case involved the question of the amount of specific tax which the Company, under its charter as amended, was legally liable to pay.

It was argued and submitted at the October term and held under advisement by the Court.

During the past year I have also appeared on behalf of the Auditor General in three Chancery suits commenced against him; two of them in the county of Bay—one in favor of Daniel H. Fitzhugh, complainant, the other in favor of Wm. D. Fitzhugh; the third was commenced in the Wayne Circuit, in favor

of Edmund Hall, as complainant. Each and all of them being injunction bills, filed to prevent the sale of lands delinqnent for taxes assessed thereon, which taxes are claimed for various reasons to be illegal and void. All of them are still pending.

I have also appeared on behalf of the State in a suit in Chancery in Genesee Circuit, commenced by my predecessor against George M. Dewey, Edmund H. Hazelton, *et al.*, for the purpose of foreclosing a certain mortgage known as the Dewey and Hazelton mortgage. The suit has so far progressed that the testimony has nearly all been taken, but the preparation of some of the evidence, in order to ascertain what lands were actually owned by the mortgagors at the time the mortgage was executed, and to determine what lands were covered by or included in the mortgage, has necessarily been attended with considerable labor and expense.

Some further proceedings have also been had in the chancery suit instituted by my predecessor, by information, in behalf of the People *vs.* Ebenezer Warner, in the district court of the Upper Peninsula for the county of Chippewa, and there is now a probability that the matter in dispute, respecting the wharf at the lower end of the canal at Sault St. Mary, will be amicably arranged and the impediments to the navigation of the canal, complained of, removed.

Suit has also been commenced by me in behalf of the State on the bond of the late State Treasurer, and is now pending in the Circuit Court for the county of Ingham, issue not having been yet joined therein.

The regular correspondence of this office during the past year, has been a work of no small labor; and the subject of the swamp land road laws, and the law for the relief of families of volunteers, has also been a fruitful source of inquiries by mail.

The duties of the office, in addition to my own services, have called in requisition the almost constant labors of a clerk, thus fully demonstrating the wisdom of the legislative provision for such assistance.

The reports of many of the Prosecuting Attorneys to this of-

fice, have been tardily made, and in consequence I have been compelled to delay somewhat, the preparation of this report.

I herewith transmit a schedule, containing an abstract of all the reports made to me for the present year, by Prosecuting Attorneys for their respective counties. It will be seen that reports have been received from only forty-two counties—from the remaining counties the Prosecuting Attorneys have wholly failed to make report.

Very Respectfully,

Your Ob't Serv't,

CHARLES UPSON,

Attorney General.

ABSTRACT OF REPORTS

OF

PROSECUTING ATTORNEYS TO ATTORNEY GENERAL,

FOR THE YEAR ENDING NOVEMBER 1st, 1861.

ALPENA COUNTY.

O. T. B. WILLIAMS, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Not any		

BRANCH COUNTY.

JOHN W. TURNER, *Pros. Att'y.*

In Circuit Court.

CHARGES.	No.	CONDITION OF CASES.
Assault and battery,	3	2 nolle pros., 1 sentence suspended.
Larceny,	3	2 nolle pros., 1 fined $50 and 60 days in jail.
Burglary and larceny,	3	Sent to State Prison 1 year and 6 months each.
Obtaining property under false pretenses,	2	1 nolle pros., 1 acquitted.
Enticing away from her parents a female child under 16 years of age, for the purpose of marriage,	2	1 convicted—sentence suspended—1 gave bail to appear at next term.
Assault with intent to kill,	1	Not tried.
Larceny in day time,	2	1 recognizance taken, 1 convicted, fined $50.
Adultery,	1	Convicted—sentence suspended.
Nuisance,	2	Not tried.
Forgery,	1	Convicted, State Prison 1 year and 2 months.
Complaint under section 5880 compiled laws,	3	All acquitted.

BAY COUNTY.

THEO. C. GRIER, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Obtaining money and other property under false pretenses,	2	1 nolle pros.; 1 not yet tried.
Assault and battery, with intent to murder,	1	Not guilty.
Perjury,	1	Not yet tried.
Grand larceny,	2	" "

In Justice's Court.

Petit larceny,	3	1 fined $10, paid; 1 appealed; 1 not guilty.
Assault and battery,	7	3 fined $5 each, paid, 1 fined $2, paid, 1 fined $50, or three months in jail, serving his time, 1 fined $10, or 20 days in jail, served his time, 1 not guilty.

BERRIEN COUNTY.

F. O. ROGERS, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Larceny,	2	1 State Prison 4½ y's, 1 estreated recognizance.
Burglary and larceny,	1	State Prison 10 years.
Obtaining money under false pretenses,	1	Acquitted.
Obtaining property under false pretenses,	1	Estreated his recognizance.
Assault with intent to commit rape,	2	1 State Prison 3½ years, 1 sentence suspended.
" " " maim,	1	Acquitted.
Assault with pistol,	1	Estreated his recognizance.
Burning straw stack,	1	Acquitted.
Arson,	1	State Prison 7 years.
Assault and battery,	1	Acquitted.
Poisoning food, with intent to kill, &c.	1	Convicted, motion for new trial made, undecided.
Attempt to break store and steal,	1	Jury disagreed.

CALHOUN COUNTY.

L. C. RHINES, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Larceny,	2	1 sent to House of Correction, and 1 to jail fo 30 days at hard labor.
Larceny from office in day time,	2	1 State Prison 1½ years, 1 State Prison 2 years.
Larceny from store in day time,	1	Trial, but jury did not agree.
Breaking and entering office, &c., in night, with intent to commit crime of larceny,	1	Sent to Prison for 3 years.
Libel,	1	Settled by parties prior to sentence.
Assault with intent to murder,	2	1 State Prison 4½ years, 1 State Prison 7½ years.
Murder in the 2d degree,	1	State Prison 12 years.
Forgery,	2	1 State Prison 2 years, 1 Prison 3 years.
Assault and battery,	6	2 fined $10 eac , 1 fined $25 and 60 days in jail, 1 jury did not agree, 1 fined $10 and 30 days in jail, 1 fined $15 and $3 costs.
Disorderly persons,	4	1 gave bail in $100 for 1 year and paid costs, 1 gave bail in $150 for one year, 1 gave bail in $200 for 1 year, and 1 gave bail in $500 for 1 year.
Resisting officer,	2	1 plead guilty and sentence suspended, and 1 recognizance estreated.
Passing counterfeit money,	1	Plead guilty and sentence suspended.
Violations of liquor law,	2	Find each $20 and costs.
" "	10	Cases dismissed from circuit for want of payment of entry fee, and executions issued and collected in three cases at this time.
Information refused,	6	5 for want of evidence and 1 because the prosecuting witness left for parts unknown—1 judgment for $500 obtained on recognizance.

CASS COUNTY.

ANDREW J. SMITH, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Assault and battery,	38	14 fined $5 each, 3 fined $10 each, 3 fined $6 each, 2 fined $20 each, 1 fined $8, 1 fined $25, 1 fined $40, 1 fined $50, 1 fined $4, 1 fined $1, 1 acquitted, 8 settled, 1 fined $3.
Selling intoxicating liquors,	15	11 fined $10 each, 3 fined $20 each, 1 acquitted.
Assault with intent to murder,	4	1 sent to State Prison 2 years and 3 months, 1 found guilty of assault and battery, and fined $30, 1 sentenced to State Prison 3 months, and pardoned, 1 discharged.
Assault with intent to commit rape,	2	1 sentenced to State Prison 3 years and 6 months, 1 " " 5 " 3 "
Rape,	1	Sentenced to State Prison 7 years and 3 months.
Murder,	1	" " 12 "
Burglary,	1	" " 1 year and 6 months.
Forgery,	1	" " 3 years.
Selling unwholesome provisions,	1	Fined $50.
Publishing obscene prints,	1	Discharged.
Disturbing religious meeting,	3	2 fined $5 each, 1 acquitted.
Larceny,	7	1 fined $3, 1 sent to jail 30 days, 5 discharged.

DELTA COUNTY.

FRANKLIN B. LOWELL, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Not any.		

EATON COUNTY.

L. W. FOWLER, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Assault and battery,	18	17 convicted and fined in the aggregate $178, 1 acquitted.
Adultery,	2	Respondents bound over.
Burglary and Larceny,	3	1 convicted, sent to State Prison 4½ years, 2 bound over.
Bastardy,	2	Bound over.
Fraudulently disposing of mortgaged property,	2	Bound over.
Grand larceny,	4	3 bound over, 1 convicted, State Prison 1 year.
Malicious injury to property,	1	Convicted, sent to Reform School.
Petit larceny,	11	10 convicted, and fined in aggregate $109, 1 acquitted.
Passing counterfeit money,	2	Bound over.
Surety of the peace,	4	4 cases ordered.
Violation of liquor law,	10	Convicted, and fined in all, $130.

EMMET COUNTY.

DENNIS T. DOWNING, *County Clerk.*

[No Prosecuting Att'y.]

CHARGES.	No.	CONDITION OF CASES.
Burglary and larceny,	1	Sent for trial to circuit court.
Assault and battery,	3	2 fined $5 each, 1 $10—last fine not paid, the defendant being a pauper and there being on county jail.

GRATIOT COUNTY.

M. TOMPKINS, JR., *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Perjury,	1	State Prison 1 year.
Violation of liquor law,	1	Acquitted.
Assault and battery,	2	Fined.
Seduction,	1	Examined and recognizance to circuit court.
Action on recognizance,	1	No cause of action.
Forgery,	1	Discharged.
Arson,	4	Examined and discharged by justice.

GRAND TRAVERSE COUNTY.

C. H. HOLDEN, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Murder,	4	2 acquitted, 1 noi. pros., 1 pending.
Selling intoxicating liquor,	5	3 fined $10 and costs, each, 1 not arrested, 1 escaped from officer.
Rape,	1	Noi. pros., no appearance of compl't.
Assault and battery,	1	Fined $15.
Petit larceny,	1	Fined, not being paid, committed.

GENESEE COUNTY.

C. W. WISNER, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Assault with intent to commit a rape,	1	State Prison 3 years and 3 months.
Grand larceny,	6	2 State Prison 1 year and 3 months each, 4 broke jail before trial and not found.
Burglary,	4	Broke jail before trial and not found.
Disturbing religious meeting,	1	Appeal pending in circuit court.
Assault with intent to kill,	1	Bound over and information filed.
Passing counterfeit money,	1	" " "
Malicious trespass,	4	" " "
Petit larceny,	4	Fined $10 each and paid.
Violation of liquor law,	3	" $10 " "
Complaint to keep the peace,	3	Held to bail 6 months.
Assault and battery,	5	3 find $10 each and 2 fined $20 each.
Recognizance forfeited,	2	Pending.

HILLSDALE COUNTY.

DANIEL L. PRATT, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Forgery,	2	1 fined $200, 1 continued.
Burglary,	3	1 sentence suspended, 1 not guilty, 1 State Prison 3 years.
Larceny,	12	2 sent to Reform School until 21 years of age, 2 not guilty, 1 continued, 3 fined $5 each, 3 fined 15 each, 1 3 days in jail.
Nuisance,	2	1 ordered to abate and pay costs of suit, 1 ordered to abate and pay fine of $100.
Selling liquor,	8	2 fined $20 each and costs, 2 fined 10 each and costs, 1 confessed judgment for $20, 3 continued.
Counterfeiting,	2	1 nol. pros., 1 plead guilty, sentence suspended
Bastardy,	1	Nol. pros. entered.
Libel,	3	All recognized in the sum of $500 each.
Assault and battery,	20	1 county jail 60 days, 1 county jail 30 days, 1 county jail 90 days, 1 county jail 8 months, 4 fined $10 each and costs, 5 fined $5 each, 1 fined $6 37, 1 fined $1, 3 acquitted, 1 not guilty, 1 dismissed.
Perjury,	4	All discharged by justice.
Seduction,	2	1 dismissed, 1 settled.
Adultery,	1	Discharged.
Disturbing religious meeting,	1	Jury disagreed, defendant discharged.

HOUGHTON COUNTY.

J. R. BECKWITH, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Murder,	1	Acquitted.
Assault with intent to murder,	3	1 not tried, 2 convicted, 1 1 year in State Prison, 1 3 years in State Prison.
Mayhem,	1	No trial—continued.
Assault and battery,	30	Convicted—punished by fine and imprisonment in county jail.
Assault upon officer,	1	Nolle pros.
Larceny in dwelling-house,	1	Sentenced 3 months in county jail.
" at fire,	1	Nolle pros.
Simple larceny,	10	County jail and fine.
Perjury,	1	Continued.
Obtaining goods by false pretenses,	1	Nolle pros.
Obtaining signatures by false pretenses,	1	Convicted, sentenced State Prison 6 years.

INGHAM COUNTY.

S. D. BINGHAM, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Assault and battery,	26	1 fined $50, 1 fined $20 and 30 days imprisonment, 1 fined $10, 4 fined $5 each, 1 jail 30 days, 6 settled by compiainants, 1 fined $25, 1 fined $7 50, 4 acquitted, 1 escaped, 3 not held, 2 pending.
Selling intoxicating liquors,	8	5 fined $10 each and costs, 3 discharged.
Disorderly conduct,	10	All recognized to keep the peace, 9 paid costs of suit.
Malicious mischief,	2	Discharged.
Breaking House of Correction,	1	Six months in State Prison.
Larceny from dwelling house in day time,	4	1 State Prison 2 years, 1 nol. pros., 1 bound over, no information filed, 1 acquitted.
Assault with intent to murder,	7	1 found guilty of assault, and sentenced 30 days in jail and $20 fine, 1 found guilty of assault and sentence suspended, prisoner enlisting for the War, 4 pending, 1 acquitted.
Disorderly person,	1	Jail 1 year.
Petit larceny,	12	2 House of Correction, 1 $50 fine, 1 jail 60 days, 1 jail 30 days, 1 60 days in Detroit House of Correction, 1 nol. pros., person charged enlisting in the army, 1 found guilty and sentence suspended, prisoner enlisting in the army, 1 fined $5 and costs, 2 acquitted, 1 discharged.
Grand larceny,	7	3 not held, 1 escaped, 1 acquitted, 1 discharged and taken to Calhoun circuit, 1 nol. pros.
Attempt to rape,	2	1 bound over, no information filed, 1 nol. pros. at request of complainant.
Cruelty to animals,	2	1 fined $25, 1 nol. pros., the complaining witness having enlisted.
Embezzlement,	2	1 acquitted, 1 settled.
Embezzlement under sec. 5771, C. L.,	1	Convicted, case taken to Supreme Court on bill of exceptions, and sentence suspended.
Refusal to deliver over money, books, papers, &c., under sec. 5772, C. L.,	1	Pending, held to bail.
Manslaughter,	6	All held to bail, and suits pending,
Disturbing religious meeting,	6	5 discharged, 1 nol. pros.
Seduction,	1	Pending.
False pretenses,	4	3 settled, 1 discharged on examination.
Receiver of stolen goods,	1	Jail 30 days.
Burglary and Grand Larceny,	2	Discharged on examination.
Mayhem,	1	Nolle pros.

IOSCO COUNTY.

G. O. WHETTEMORE, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Not any.		

IONIA COUNTY.

ALBERT WILLIAMS, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Assault with intent to murder,	3	2 convicted of assault and battery and sent to jail 30 days each, 1 forfeited his recognizance.
Burglary and larceny,	5	1 convicted, 1 State Prison 2½ years, 2 do. 1 year, 1 examined and discharged, 1 committed to jail to await trial.
Seduction,	1	Examined and discharged.
Bastardy,	2	Both bound over to circuit court.
Arson,	3	2 convicted and sent to Reform School, 1 examined and discharged.
Furnishing spirituous liquors to prisoners in jail,	1	Fined $1.
Disturbing religious meeting,	1	Acquitted.
Grand larceny,	1	Discharged.
Petit larceny,	5	1 convicted, 1 sent to jail 55 days, 1 do. 20 days, 1 fined $10 and paid, 2 acquitted.
Assault and battery,	4	1 convicted and fined $8, 1 do. $16, 1 do. $23, and 1 sent to jail 20 days.

JACKSON COUNTY.

W. K. GIBSON, *Pros. Att'y.*

In Circuit Court.

CHARGES.	No.	CONDITION OF CASES.
Larceny,	9	1 two years in State Prison, 1 one year in State Prison, 1 no information filed, 2 three years in State Prison each, 1 plead guilty, sentence suspended, 1 nol. pros., 1 House of Correction, 1 jail 90 days.
False pretenses,	4	1 fined $200, paid, 1 plead guilty, sentence suspended, 1 not tried, 1 nol. pros.
Manslaughter,	1	Fined $100, paid.
Malicious trespass,	2	Fined $25 apiece, paid.
Passing counterfeit bills,	2	1 jail for 30 days, 1 not tried.
Having 10 counterfeit bills,	1	Not tried.
Rape,	2	1 acquitted, 1 State Prison 2 years.
Arson,	1	Information filed, not tried.

Justice's Court.

Larceny,	44	11 convicted, 14 held to appear at Circuit Court' 11 discharged, 8 settled, discontinued, not found, &c.
Assault and battery,	90	48 convicted and fined, 22 discharged, 5 compl't did not appear, 15 settled, discontinued, not arrested, &c.
Obtaining property under false pretenses,	6	4 discharged, 2 held to appear at Circuit.
To keep the peace,	11	6 gave bonds, 3 discharged, 2 not arrested.
Breach of the peace,	2	1 committed, 1 convicted, and appeal taken.
Disorderly persons,	16	8 committed, 5 not arrested, 2 bound over, 1 run away.
Disturbing religious meeting,	6	5 discharged, 1 paid costs.
Adultery,	1	Compl't did not appear.
Receiving stolen goods,	2	Not guilty.
Arson,	2	1 discontinued, 1 committed to appear at Circuit.
Burglary,	1	Not guilty.
Bastardy,	2	Held to appear at Circuit.
Having counterfeit money with intent to pass,	3	" "
Malicious injury to dwelling,	6	3 " " 3 not found.
Forgery,	1	" "
Search warrants,	16	9 Property found, 7 property not found.
Fornication,	1	Discharged.
Embezzlement,	1	Held to appear at Circuit.
Cruelty to animals,	1	Not arrested.
Blasphemy,	1	" "
Canceling mortgaged property,	1	Discharged.
Threatening to injure,	2	1 discharged, 1 gave bonds.
Extortion,	1	Discharged.
Profanity,	1	Fined $1.
Passing counterfeit note,	1	Held to Circuit.
Selling intoxicating liquors,	1	Find $20, and $5 costs.
Assault with intent to kill,	1	Committed.

KALAMAZOO COUNTY.

CHARLES S. MAY, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Burglary and assault with intent to murder,	1	Sentenced to State Prison for life.
Assault with intent to murder,	1	Plead guilty to assault and battery and sent to county jail 3 months and $100 fine.
Larceny of house,	1	Plead guilty, sentenced to State Prison 1 year.
Perjury,	1	Pros. Att'y filed reasons for not filing information—discharged.
Assault with intent to commit rape,	1	Pros. Att'y filed reasons for not filing information—discharged.
Assault and battery, (appealed,)	3	Pending.
Burglary and larceny,	1	Sentenced to State Prison 2 years.
Malicious injury to house,	1	Held.
False pretenses,	3	2 nolle pros., discharged, 1 held.
Procuring abortion,	1	Discharged.
Malicious injury to fence,	1	"
Malicious injury to property,	1	Boy 11 years old, sent to House to Correction.

KENT COUNTY.

THADDEUS FOOTE, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Murder	1	Convicted, State Prison for life.
"	1	Died in jail after examination.
Assault with intent to murder,	3	1 convicted, State Prison for 1 year, 1 discharged on examination, 1 certiorari from sentence of fine and imprisonment for assault and battery allowed and pending.
Passing as true forged bill of exchange,	1	Convicted, State Prison 3 years.
Bastardy,	2	1 recognizance for trial, 1 bond to supts. of poor of county, voluntarily given.
Burglary,	1	State Prison 2 years.
Rape,	1	" 2 "
Assault with intent to commit rape,	1	" 3 "
Incest,	1	Recognizance estreated.
False pretenses,	3	1 discharged, 1 recognizance estreated, 1 nolle pros., costs paid by resp.
Selling unwholesome provisions,	1	Recognized for trial—pending.
Forgery,	2	Discharged on examination.
Cruelty to animals,	1	Committed for trial.
Perjury,	2	Discharged on examination.
Receiving stolen property,	1	Discharged.
Malicious trespass,	1	Convicted and fine paid.
Petit larceny,	18	Convicted 12, discharged 6.
Robbery from the person,	1	Recognized for trial.
Concealing mortg'd personal property,	2	Discharged.
Resisting officer,	1	Recognizance estreasted.
Surety of the peace,	3	2 gave recognizance, 1 discharged.
Assault and battery,	22	Convicted 17, of which 6 appealed and 5 were acquitted—of the 6 appealed 1 case was settled.

KEWEENAW COUNTY.

CHESTER W. HOUGHTON, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Rape,	1	Not yet tried.
Attempt to rape,	1	" "
Grand larceny,	1	" "
Petit larceny,	1	Fined $10 and costs, paid.
Keep the peace,	1	In sum of $200, bail given or surety found.
Assault and battery,	2	1 fined $20 and costs, paid, 1 fined $10 and costs, or 10 days in jail, served his time.

LIVINGSTON COUNTY.

M. B. WILCOX, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Murder,	2	1 State Prison 10 years, 1 acquitted on trial.
Nalicious injury to dwelling house,	1	Sentence suspended.
Rape,	1	Pending.
Burning Store insured, with intent to injure insurer,	2	Pending.
Larceny,	1	State Prison 2 years.
Illegal voting,	1	Nol. pros. entered.
Assault and battery,	9	1 fined $15, 2 fined $10, 1 jail 30 days, 1 jail 60 days, 4 acquitted.
Petit larceny,	7	1 jail 30 days, 2 Reform School, 3 fined $5 each. 1 acquitted.
Violating liquor law,	4	3 fined $10 each, 1 acquitted on trial.

LENAWEE COUNTY.

A. C. MERCER, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Assault and battery,	14	2 imprisoned in county jail 60 days, 1 do. 30 days, 1 fined $25, 1 do. $25 and costs $26, 4 do. $10 each, 3 do. $5 each, 2 acquitted.
Assault with intent to murder,	1	Acquitted.
Cruelty to animals,	1	Convicted, fined $50.
False pretenses,	2	1 State Prison 2 years, 1 do. 5 years.
Furnishing liquor to prisoners in jail,	1	Convicted, 90 days in jail.
Grand larceny,	2	Convicted, 1 State Prison 2½ years, 1 do. 3 years
Larceny from dwelling,	2	Convicted, 1 State Prison 2 years, 1 sentence suspended.
Murder,	1	Acquitted.
Manslaughter,	2	"
Malicious injury to dwelling,	2	" (jointly prosecuted.)
Passing spurious bill,	1	Convicted, 5 years in State Prison.
Perjury,	2	Acquitted.
Seduction,	1	Convicted, 2½ years in State Prison.

LAPEER COUNTY.

S. B. GASKILL, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Violating election laws,	2	Found guilty, 1 taken to Supreme Court.
Grand larceny,	1	Four years in State Prison.
Assault and battery,	15	1 nol. pros., 7 appealed, still pending, 1 not guilty, 1 fined $10, 1 fined $5, 1 fined $4, 1 fined $1, 1 ten days in jail.
Forfeited recognizance,	2	Not disposed of.
Assault and battery with intent to kill,	2	Still pending.
Polygamy,	2	1 recognizance forfeited, 1 dismissed.
False pretenses in obtaining property,	1	Not guilty.
Forgery,	1	Still pending.
Larceny,	4	One 60 days in jail, two 90 days in jail, one not guilty.
Secreting mortgaged property,	2	Recognizance forfeited.
Bound over to keep the peace,	3	One year.
Murder,	1	In jail awaiting trial.
Perjury,	1	On bail, yet to be tried.
Robbery,	1	Not guilty.

MASON COUNTY.

E. F. COLBY, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
None.		

MONTCALM COUNTY.

CHARLES C. ELLSWORTH, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Larceny,	3	1 60 days in jail, 1 Reform School, 1 30 days in jail.
Assault and battery,	1	Fined $14.
Attempting to marry contrary to statute,	1	Pending.
Perjury,	1	"
Bigamy,	1	"

MIDLAND COUNTY.

D. M. R. WILSON, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Assault and battery,	2	Fined.
Assault with intent to murder,	1	Discharged.
Forgery,	1	Committed to await trial.
Passing forged order,	1	" " "
Selling liquor,	1	Fined $20 and costs.
Larceny,	1	Discharged.
For the prevention of crime,	1	"

MUSKEGON COUNTY.

HENRY H. HOLT, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Petit larceny,	6	2 convicted and fined, 2 acquitted, 2 pending.
Assault and battery,	25	9 convicted and fined, 9 settled, 5 acquitted, 2 pending.
Willful injury to buildings,	6	All settled.
Selling intoxicating liquors,	3	2 convicted and fined, 1 acquitted.
Keeping house of ill fame,	2	Convicted and committed to jail.
Resisting officer,	3	Settled.
Willful neglect of official duty,	2	Pending.

MANISTEE COUNTY.

W. W. CARPENTER, *Pros. Att'y.*

Circuit Court.

CHARGES.	No.	CONDITION OF CASES.
Appeal on petit larceny,	1	Nolle pros.
Assaulting and obstructing an officer,	1	"

Justice's Court.

Petit larceny,	2	1 fined $5 or 20 days imprisonment, paid fine.
	1	" $3 or 20 " appealed.
Asault and battery,	4	1 " $10 or 30 " paid fine.
		2 " $10 or 20 " "
		1 " $6 or 15 " "
Threats to kill, &c.,	1	Put under bonds for 6 months and paid costs.
Contempt of Court,	3	1 fined $10 and $1 25 costs, 1 $6 and $4 costs, 1 fined $1 and $4 costs.
Violation of liquor law.	15	10 fined $10 each and costs, 4 fined $20 each and costs, 1 dismissed.

MACOMB COUNTY.

E. F. MEAD, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Erecting and maintaining nuisance,	1	Acquitted.
Manslaughter,	1	Nol. pros. entered.
Adultery,	2	1 nol. pros., 1 pending.
Obtaining goods by false pretenses,	2	Both cases still pending.
Malicious killing a horse,	1	Pending.
Assault with intent to murder,	2	Pending.
Assault with intent to maim and disfiguro,	1	Nol. pros. entered.
Assault and battery,	4	2 fined $20 each; 1 fined $15; 1 pending.
Burglary,	2	Both pending.
Riot,	5	All in one information, and nol. pros. entered as to all.
Larceny,	3	1 pleaded guilty to petit larceny and was fined $25; other 2 cases pending.

MECOSTA COUNTY.

HOWARD W. WILTSE, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Rape,	1	Acquitted.
Perjury,	1	"
Assault and battery,	8	1 fined $15, 2 fined $5 each.
Assault with intent to kill,	1	Bound over.
Petit larceny,	5	1 fined 50 cents, 4 acquitted.

NEWAYGO COUNTY.

AUGUSTINE H. GIDDINGS, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Assault and battery,	9	5 convicted and fined, 2 settled, 2 discharged,
Assault with intent to murder,	1	Jury disagreed, respondent plead guilty of assault and battery, fined $50.
Assault with intent to commit rape,	1	Jury disagreed, plea of guilty of assault and battery accepted, fined $50.
Adultery,	1	Not yet tried.
Bastardy,	1	Convicted.
Grand larceny,	1	Not yet tried.
Petit larceny,	8	6 convicted and fined, 2 discharged.
Willful trespass,	2	Convicted and fined.
Perjury,	1	Respondent fled before arrest.
Selling spirituous liquors,	9	7 convicted and fined, 2 discharged.
Common selling of liquors,	1	Convicted and fined.
Disorderly conduct,	3	2 recognized to keep the peace, 1 discharged.
Erecting and maintaining a nuisance,	2	1 acquitted, 1 still pending.

OCEANA COUNTY.

CHARLES W. DEANE, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Assault and battery,	1	Plead guilty, fined $15.
Violation of liquor law,	3	1 fined $10 and costs; 1 $20, and 1 nol. pros.
Rape,	1	Bound over, no information filed.
Larceny from dwelling-house in day time,	1	Plead guilty, State Prison 2 years.
Maliciously and willfully killing an animal,	1	Acquitted.

ONTONAGON COUNTY.

G. C. JONES, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Forgery,	1	Sent to State Prison for 5 years.
Entering dwelling-house in night time with intent to steal,	1	Sent to State Prison 2 years.

OAKLAND COUNTY.

JUNIUS TEN EYCK, *Pros. Att'y.*

In Circuit Court.

CHARGES.	No.	CONDITION OF CASES.
Larceny,	13	3 State Prison 2 years and 3 months each; 2 State Prison 2 years each; 1 State Prison 5 years; 1 State Prison 4 years; 2 county jail 60 days each; 1 not guilty, 1 noi. pros. entered, 1 recognizance forfeited, 1 dismissed, no information filed, statement of reasons filed by Pros. Att'y,
Compound larceny,	1	Verdict, not guilty.
Assault with intent to kill,	5	1 commenced in 1859, nol pros. entered; 1 State Prison 10 years, 1 convicted of simple assault, fined $25, paid; 1 verdict not guilty, 1 bound to keep the peace in $500.
Perjury,	7	4 no information filed, statement of reasons filed; 1 verdict not guilty, 1 now pending, 1 now pending, once tried, jury disagreed.
Resisting officer,	11	8 noi. pros. entered, 2 pending, 1 defendant deceased.
Bastardy,	4	2 pending, 1 support of child secured, 1 forfeited recognizance.
Riot,	6	Verdict not guilty.
Secreting stolen property,	2	1 recognizance forfeited and paid, 1 verdict not guilty.
Conspiracy,	2	1 county jail 60 days, 1 not yet found.
Forgery,	2	1 pending, 1 discharged on examination.
False pretenses,	5	2 noi. pros. entered, 1 dismissed on examination, 1 case withdrawn by Pros. Att'y, 1 plead guilty, fined $10, paid.
Seduction,	3	1 recognizance forfeited, 1 nol. pros. entered, 1 discharged on examination.
Aiding absconding debtor,	2	No information, statement of reasons filed.
False registration,	2	Discharged on examination.
Proceedings to prevent crime,	3	Recognized to keep the peace.
Illegal voting,	1	Fined $1, paid.
Disturbing religious meeting,	2	1 fined $12, paid; 1 fined $8, paid.
Embezzling public money,	1	No information, statement filed.
Burglary,	1	State Prison 1 year.
Habeas corpus,	2	Prisoners set at liberty.
Coroner's inquest,	1	Killed accidentally, in gravel pit.
Malicious injury,	1	Not guilty.

In Justice's Court.

Larceny,	8	6 guilty, 1 fined $3, 1 fined $6 or jail 15 days; 1 jail 30 days, 1 jail 90 days, 1 jail 44 days, 1 fined $16, appealed; 2 nol. pros.
Assault and battery,	41	18 guilty, and fined; 10 not guilty, 7 withdrawn and dismissed, 1 bound over to circuit court, 3 recognized to keep the peace, 2 defendants not found.

OTTAWA COUNTY.

MOSES B. HOPKINS, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Seduction, (old case from last year,)	2	1 nolle pros entered by leave of Court on his paying $50 to county, 1 do. $50 to county.
Refusing to deliver books to successor,	1	Compelled to nolle pros. by the ruling of the Court.
Refusing to receive prisoner as jailor,	1	Nolle pros. after being brought on to trial.
Aiding prisoner to escape,	1	Information filed, demurred to and sustained, case dismissed.
Burglary,	6	1 State Prison 1 year, 2 sentence suspended, 1 recognizance estreated, 2 plead not guilty and continued to next term and escaped from jail, not yet taken.
Larceny in dwelling-house in day time,	1	2 years in State Prison.
Feloniously removing property under chattel mortgage,	1	Old case from last year, discharged.
Obtaining money under false pretenses,	2	" 1 pending, 1 discharged.
Larceny on boat in day time,	1	Broke jail and escaped.
Adultery,	2	Arrested, but escaped from officer.
Petit larceny,	3	1 fined $10 and costs, 1 do. $5 and costs, 1 do $1 and costs—all paid.
Assault with intent to murder,	1	Jury did not agree nol. pros. entered.
Assault and battery,	24	13 convicted and fined, 5 discharged, 1 appealed, 1 nolle pros., 1 settled, 2 fined, volunteered and cases not disposed of, 1 escaped.
Assault,	2	1 jury disagreed, case dismissed, fined.

SAGINAW COUNTY.

WILLIAM H. SWEET, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Assault and battery,	27	16 convicted and fined, 5 appealed, 2 jury did not agree, 4 acquitted.
Assault with intent to kill,	1	Information filed, prisoner escaped.
Robbery,	1	Plead guilty of assault and battery, fined $30.
Obtaining money under false pretens's,	3	Information filed—pending.
Seduction,	1	Defendant married complainant and nolle pros. entered.
Adultery,	2	Information filed—pending.
Larceny,	11	1 2 years in State Prison, 3 discharged, 8 convicted—3 of the latter appealed—pending.
Abortion,	1	Information filed—Pending.
Passing counterfeit money,	1	Discharged.
Forgery,	1	Information filed—pending.
Disturbing religious meeting,	1	Convicted, fined $10.
Burglary,	1	Convicted, sentence suspended. Same party convicted and sentenced for larceny.
Perjury,	3	1 1 year in State Prison, 1 information filed, pending, 1 do., recognizance forfeited.
Bigamy,	1	Information filed—pending.
Disturbing the peace,	4	Recognizance to keep the peace for 1 year.
Embezzlement,	1	Jury disagreed—still pending.
Riot,	9	3 pending, 5 fined $20 or 20 days imprisonment each, 1 nol. pros. entered.
Keeping disorderly house,	1	Imprisoned.
Obstructing officer in service of process,	2	Discharged.
Breaking building,	1	Fined $10 or 10 days in jail.

SANILAC COUNTY.

W. S. MILLS, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Passing counterfeit money,	1	Jail 60 days.
Malicious injury to property,	1	Acquitted.
Obtaining money by false pretenses,	1	Escaped.
Larceny,	2	Pending.
Petit larceny,	2	Acquitted.
Fraudulent disposal of mortgaged property,	1	Appealed and pending.
Assault and battery,	16	10 convicted and fined, 5 of whom appealed, and are still pending; 1 escaped, and 5 discharged.

SHIAWASSEE COUNTY.

SPENCER B. RAYNALE, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Assault and battery,	10	3 acqultted, 1 escaped, 1 fined $5, 1 fined $10, 1 fined $25, 1 30 days in jail, 1 15 days in jail, 1 2 days in jail.
Willful trespass,	1	Acquitted.
Rape,	2	"
Grand Larceny,	1	2½ years in State Prison.
Petit larceny,	2	1 acquitted, 1 fined $15.
Burglary,	1	Acquitted.
Willful injury to personal property,	3	1 acqultted, 1 not yet tried, 1 60 days in jail.
Willful injury to house,	3	" " "
Manslaughter,	1	Held to bail, not yet tried.
Resisting an officer,	1	Acqultted.

VAN BUREN COUNTY.

CHANDLER RICHARDS, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Burglary and Larceny,	1	State Prison 7 years.
Passing counterfeit money,	1	Jury disagreed—continued.
Resisting officer,	1	State Prison 2 years.
Larceny,	4	One 1 year and 2 months State Prison, one 2 years and 6 months State Prison, one 1 year and 3 months State Prison, one 20 days in jail and $15 fine.
Compounding felony,	1	Jury disagreed—continued.
False pretenses,	2	Not disposed of.
Lascivious cohabitation,	3	" "
Malicious trespass,	1	Acquitted.
Canceling mortgaged property,	1	Stands appealed.
Selling liquor,	7	5 convicted, 2 nol. pros.
Assault and battery,	9	7 convicted, 1 acquitted, 1 settled.

WASHTENAW COUNTY.

A. D. CRANE, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Arson,	3	2 discharged by justice, 1 pending in circuit court.
Assault and battery,	6	4 fined, 1 acquitted, 1 still pending.
Assault with intent to ravish,	1	Acquitted.
Assault with intent to rob,	1	Convicted of assault and battery, 24 hours in jail.
Bastardy,	1	Convicted.
Burglary,	2	1 7 years in State Prison, 1 still pending.
Burglary and larceny,	4	1 1 year in State Prison, 1 do. 2 years, 1 sentence suspended, 1 acquitted.
Embezzlement,	1	Settled.
Incest,	1	5 years in State Prison.
Indecent exposure of person,	1	Nolle pros.
Grand Larceny,	4	1 2 years in State Prison, 1 sentence suspended, 1 acquitted on the ground of insanity, 1 pending.
Larceny from dwelling—day time,	1	2 years in State Prison.
" shop "	1	Convicted, sentence suspended.
Petit larceny,	1	Acquitted.
Malicious injury to building,	1	60 days in jail.
Malicious trespass,	1	Recognized to keep the peace.
Obtaining property under false pretenses,	4	2 nolle pros., 2 still pending.
Uttering forged note,	1	Defendant not arrested.
" order,	1	Acquitted.

WAYNE COUNTY.

D. E. HARBAUGH, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Larceny,—Information for Larceny as follows: 9 simple larceny, 16 larceny from dwelling-house in day time, 7 larceny from person, 3 larceny from offices and shop in day time, 3 larceny from ware-house in day time, 1 larceny from steamboat in day time,	39	28 convicted, 7 acquitted, 1 nol. pros., 2 pending. Punishments:—2 State Prison 6 months, 2 State Prison 18 months, 4 State Prison 1 year, 10 State Prison 2 years, 2 State Prison 3 years, 2 Reform School, 1 not sentenced, 1 House of Correction 6 months, 2 jail, 1 broke jail, 1 sentence suspended.
Burglary and larceny,	3	1 previous sentence on conviction of larceny, 1 1 year in State Prison, one 3 years in State Prison.
Assault on officer,	4	1 acquitted, 1 fined $40, 1 not sentenced, 1 new trial.
Assault with intent to murder,	11	1 State Prison 1 year, 4 convicted of assault and battery, 1 acquitted, 1 fined $40, 2 county jail, 10 months and 4 months, 1 sentence suspended, 5 nol. pros., all in one information.
Malicious injury to dwelling-house,	1	State Prison 1 year.
Rape,	2	Convicted, new trial, subsequently plead guilty to an assault, 1 year House of Correction each.
Assault with intent to rape,	3	1 State Prison 6 months, 2 pending, will be nol. pros'd.
Murder,	1	Convicted of manslaughter, 14 yrs. State Prison.
Receiving stolen property,	3	1 pending, 2 nol. pros.
Burning building in day time,	1	Sentence suspended.
Burning dwelling-house to defraud insurers,	1	Nolle prosequi.
Mayhem,	1	Pending, recog. forfeited, judgment and ex.
False imprisonment,	1	Pending.
Passing counterfeit bills,	3	1 fined, 1 discharged, 1 acquitted.
Having in possession counterfeit bill, with intent to pass it,	1	State Prison 4 years.
Robbery, armed with dangerous weapon,	1	State Prison 10 years.
Adultery,	1	" 1 year.
Indecent exposure of person,	8	2 convicted, 1 acquitted; one case special verdict set aside, new trial granted; 1 not sentenced.
Keeping house of ill fame,	4	2 county jail 1 year each, 1 pending, 1 nol. pros.
Breaking jail with intent to escape,	3	2 sentenced 10 months House of Correction, 1 suspended.
Furnishing spirituous liquors to prisoners in jail,	1	House of Correction 5 months.
Setting fire to jail, with intent to escape,	1	State Prison 1 year.
Abduction of female under 16 years of age, for prostitution,	2	Acquitted.
Personating officer,	1	Pending.
Embezzlement,	1	"
Putting in circulation bill—no bank in existence,	1	Acquitted.
Libel,	1	Convicted—not sentenced.
Seduction,	2	Pending, recognizance in each case forfeited, judgment and ex.

WAYNE COUNTY.—CONTINUED.

In the Circuit Court, Wayne County.

CHARGES.	No.	CONDITION OF CASES.
Assault with intent to murder,	4	2 convicted of assault and battery, 2 acquitted.
Adultery,	3	2 convicted, sentence suspended; 1 acquitted.
Burglary and attempt to commit rape,	1	Convicted of assault and battery, 60 days in House of Correction.
Attempt to murder by poisoning,	1	Convicted—State Prison for life.
Larceny,	1	1 year in House of Correction.